

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 17-10

January 10, 2017

TO: All Regional Directors, Officers-in-Charge
and Resident Officers

FROM: Beth Tursell, Associate to the General Counsel

SUBJECT: New Joint NLRB/DOL/EEOC Fact Sheet: *Retaliation Based on
Exercise of Workplace Rights Is Unlawful*

The NLRB, along with our counterparts at the Wage and Hour Division (WHD) of the U.S. Department of Labor, the Occupational Safety and Health Administration (OSHA), the Equal Employment Opportunity Commission (EEOC), and the Office of Federal Contract Compliance Programs (OFCCP), have released a Fact Sheet to the public entitled *Retaliation Based on Exercise of Workplace Rights Is Unlawful*. The Fact Sheet explains that the agencies will protect all employees from retaliation by employers because the employee seeks to assert his or her workplace rights. In some cases, employers may exploit immigration status to discourage workers from asserting their rights. However, U.S. laws, including the National Labor Relations Act, generally prohibit employers from retaliating against workers for exercising their workplace rights, regardless of the workers' immigration status.

Agency employees and members of the public can find this new Fact Sheet in English on the NLRB's web site at <https://www.nlr.gov/resources/fact-sheets>, in Spanish at <https://www.nlr.gov/espanol>, and in French, Mandarin, Arabic, Vietnamese, Korean, Russian, Tagalog, Hindi, Punjabi, Urdu, Haitian Creole, Hmong, and Portuguese on the Agency's Foreign Language Publications page at <https://www.nlr.gov/news-outreach/foreign-language-publications>. You may also find informative Fact Sheets on our public website regarding other aspects of Agency operations, such as social media issues, consular agreements, the right to strike under the NLRA, and a review of the revised representation case rules.

Please contact your Deputy or AGC with questions.

/s/
B.T.

cc: NLRBU